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Attorneys for Plaintiff TINA PICHON,
individually, and on behalf of others similarly situated

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

GERI GATES, individually and on behalf of
others similarly situated,

Plaintiff,

vs.

SD&A TELESERVICES, INC., a Georgia
corporation; and DOES 1 through 25,
inclusive,

Defendant(s).

Case No.: 23STCV29390
(Consolidated with Case Nos. 24STCV02771
and 23STCV224461)

Honorable Laura A. Seigle
Department 17

**DECLARATION OF LOUIS BENOWITZ
IN SUPPORT OF PLAINTIFF'S MOTION
FOR PRELIMINARY APPROVAL OF
CLASS ACTION SETTLEMENT**

DATE: December 17, 2025
TIME: 9:00 a.m.
DEPT: 17

Complaint Filed: November 30, 2023
Trial Date: Not Set

DECLARATION OF LOUIS BENOWITZ

I, LOUIS M. BENOWITZ, declare as follows:

1. I am an attorney duly licensed to practice law in the State of California and am an attorney of record for Plaintiff Tina Pichon (“Plaintiff”) in her lawsuit against Defendant SD&A Teleservices, Inc. (“Defendant”).

2. I make this Declaration in support of Plaintiff’s Motion for Preliminary Approval of Class Action Settlement. I make this Declaration based on my personal knowledge and if called to testify I could and would competently testify to the matters contained in this Declaration.

3. Based on my extensive experience in class and representative wage and hour litigation (as set forth herein), and for the reasons set forth in the accompanying Motion and the other supporting Declarations, I believe that the settlement in this case is fair, adequate, and reasonable, and thus warrants this Court’s approval. With respect to this specific case, I have been involved in all critical respects of it since my initial intake with Plaintiff and fully participated in the mediation and discussions that led to the settlement and the finalization thereof.

4. I completed my undergraduate studies at Cornell University in Ithaca, New York, where I was admitted as a Pauline and Irving Tanner Dean’s Scholar and earned a Bachelor of Arts degree in English in May of 2003. I completed my legal studies at Loyola Law School in Los Angeles, California, where I received a Juris Doctor degree in May of 2008 and graduated in the top 15% of my class. At Loyola Law School, I served as Research Editor on the Loyola of Los Angeles Entertainment Law Review, was a member of the Scott Moot Court Honors Board and the St. Thomas More Law Honor Society and was a research assistant to Professor Theodore Seto.

5. Since being admitted to the State Bar of California in February of 2009 after passing the California Bar Examination on my first attempt, I have almost exclusively practiced in the areas of civil litigation and employment law. I am a member of the California Employment Lawyers

1 Association (“CELA”), and the vast majority of my work during my time in active legal practice has
2 consisted of wage and hour and other employment law cases on behalf of employees, with a few
3 sporadic matters on behalf of employers. I currently have numerous pending employment law cases
4 at various stages of litigation, many of which are wage and hour class actions.

5 6. With respect to wage and hour class actions specifically, a sampling of matters in which
6 I have been appointed as class counsel is as follows:
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8 A. *Vang v. Burlington Coat Factory Warehouse Corp., et al.*, U.S. District
9 Court, Central District of California, No. 09-CV-8061-CAS (appointed
10 class counsel and granted final approval of settlement on behalf of retail
11 store employees in case involving, among other things, alleged vacation pay
12 forfeitures, failures to provide meal and rest periods, and failures to pay
13 overtime wages based on employee misclassification).

14 B. *Garcia v. Am. Gen. Fin. Mgmt. Corp., et al.*, U.S. District Court, Central
15 District of California, No. 09-CV-1916-DMG (appointed class counsel and
16 granted final approval of settlement on behalf of account managers in case
17 involving, among other things, alleged overtime miscalculations and meal
18 and rest period violations).

19 C. *Cerdenia v. USA Truck, Inc.*, U.S. District Court, Central District of
20 California, Case No. 10-CV-1489-JVS (appointed class counsel and granted
21 final approval of settlement on behalf of truck drivers).

22 D. *Jones v. Shred-It, Inc.*, U.S. District Court, Central District of California,
23 Case No. 2:11-cv-00526-SVW-FFM (appointed class counsel and granted
24 final approval of settlement on behalf of customer service representatives
25 and balers in case involving alleged off-the-clock work and meal and rest
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period violations).

E. *Douglas v. California Credit Union*, Los Angeles Superior Court, Case No. BC445050 (appointed class counsel and granted final approval of settlement on behalf of customer service representatives for overtime miscalculation claims)

F. *Alvarez v. Gary Grace Enterprises, LP*, Marin Superior Court, Case No. CIV 1002553 (appointed class counsel and granted final approval of settlement on behalf of hair salon employees for overtime miscalculation and related claims).

G. *Calderon v. Greatcall, Inc.*, San Diego Superior Court, Case No. 37-2010-00093743-CU-OE-CTL (appointed class counsel and granted final approval of settlement on behalf of customer service employees in case involving, among other things, alleged meal and rest period violations and overtime calculation errors).

H. *Butler v. Lexxiom, Inc.*, San Bernardino Superior Court, Case No. CIVRS 1001579 (appointed class counsel and granted final approval of settlement on behalf of debt resolution center employees in case involving, among other things, alleged meal and rest period violations and overtime calculation errors).

I. *Valencia v. SCIS Air Security Corp.*, Los Angeles Superior Court, Case No. BC421485 (granted class certification through contested motion and appointed class counsel in case on behalf of former security workers based on late final wage payments in violation of Labor Code §§ 201–203; also granted final of proposed class action settlement on behalf of certified

1 class).

2 J. *Sandoval v. Rite Aid Corp.*, Los Angeles County Superior Court, Case No.
3 BC431249 (granted class certification through contested motion and
4 appointed class counsel in case on behalf of former pharmacy employees
5 based on late final wage payments in violation of Labor Code §§ 201–203;
6 also granted final approval of class action settlement on behalf of certified
7 class).
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9 7. In addition to the class actions for which I am currently, or have been, an attorney of
10 record, I have also performed work on several other wage and hour class action cases, including the
11 preparation of liability exposure analyses and settlement approval motions. Further, both before and
12 during law school, I worked as a law clerk for the Law Offices of Spivak and Harrison (now The
13 Spivak Law Firm), where the majority of my work consisted of law and motion and discovery in
14 California employment law cases.
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16 8. Though not a traditional class action, I successfully prosecuted an eleven-day bench trial
17 with David Spivak, one of my co-counsels in this action, in the case of *Alina Ghrdilyan, et al. v. RJ*
18 *Financial, Inc., et al.*, Los Angeles Superior Court, Case No. BC430633 (2012), the Honorable Ronald
19 Sohigian presiding. To my knowledge, this is the first and only case to be successfully prosecuted
20 through trial in a non-class representative capacity under the Labor Code Private Attorney Generals
21 Act of 2004, Labor Code § 2698 *et seq.* on behalf of both named plaintiffs and aggrieved employees
22 against someone other than an employer for civil penalties including unpaid wages. The case involves
23 claims of unpaid overtime, unprovided rest and meal periods, unpaid vacation, untimely interval and
24 final wages, and unreimbursed expenses.
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26 9. In addition to my experience in representing plaintiffs in class action litigation, I also
27 represented two of the defendants in the case of *Sam Jaicaman v. Mustafa Ertan Tuysuzoglu, et al.*,
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1 Los Angeles Superior Court, Case No. BC467147. In that case, a putative wage and hour class action
2 alleging off-the-clock, meal and rest period, and related claims, I, along with counsel for other
3 defendants, successfully opposed the plaintiff's motion for class certification.

4 10. I authored and submitted an amicus curiae brief on behalf of CELA in support of the
5 plaintiffs and the certified class in the case of *Augustus v. ABM Security Services, Inc.* at both the
6 Court of Appeal and Supreme Court levels. The ultimate decision from the Supreme Court in favor of
7 the plaintiffs incorporates much of the reasoning and arguments set forth in my briefs.
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9 11. I am also one of the counsel for the plaintiff in *Troester v. Starbucks Corp.*, which the
10 California Supreme Court resolved in favor of the plaintiff. I have been involved in that case at all
11 points since its inception. In that case, the California Supreme Court decided that a de minimis
12 exception does not exist under California law as a defense to wage and hour claims (unlike under
13 federal law) and thus expanded the rights of employees in California.
14

15 12. I have also been counsel for the plaintiffs in two other successful appeals in employment
16 law cases. In *Alejandro Chavez v. Southern California Edison Co.*, Court of Appeal, Second Appellate
17 District, Division Two, Case No. B253514, a male-on-male sexual harassment case, my co-counsel
18 and I obtained a reversal of a defense verdict after trial based on an erroneous jury instruction with
19 respect to the standard for establishing that workplace harassment is "because of" sex. In *Valencia v.*
20 *SCIS Air Security Corporation*, Court of Appeal, Second Appellate District, Division One, Case No.
21 B255199, in a published opinion, my co-counsel and I obtained reversals of a denial of class
22 certification and a grant of summary adjudication based on the trial court's drawing of an erroneous
23 conclusion with respect to Airline Deregulation Act preemption in a case centering around alleged
24 meal and rest period violations and related unpaid time.
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26 13. I have also been a speaker on multiple occasions at conferences for the California
27 Employment Lawyers' Association on wage and hour issues for which attendees received MCLE
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1 credit. My speaking engagements have been as follows:

- 2 A. Rest Breaks Post-*Augustus*, *California Employment Lawyers' Association 14th*
3 *Annual Advanced Wage and Hour Seminar*, May 2018
4 B. Penalties (and Claims) You Should Be Pleading, *California Employment*
5 *Lawyers' Association 21st Annual Advanced Wage and Hour Seminar*, April
6 2025

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8 14. I have no conflicts of interest with the class or with the Class Representative. I am not
9 related to the representative plaintiff. I have not previously represented Defendants in any matter. I do
10 not represent opposing factions within the class in that all claims are predicated upon the same theories
11 of liability and benefit all class members equally. In sum, I am well-suited to act as Class Counsel and
12 will continue to vigorously represent the interests of the class.

13 15. I am not aware of any class, representative, or other collective action in any other court,
14 in this, or any other jurisdiction, that asserts claims similar to those asserted in this action, on behalf
15 of the class or group of individuals, some or all of whom would also be members of the class to find
16 in this action. I have made a reasonable inquiry of the other members of my law firm to determine
17 whether they are aware of any such similar actions. Based on these inquiries, I am aware of no such
18 similar actions.

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20 16. For the reasons set forth in the Memorandum of Points and Authorities in Support of
21 Plaintiff's Motion for Approval of Preliminary Approval of Class Action Settlement and the
22 supporting declarations, I concur that the Settlement is a fair, adequate, and reasonable compromise
23 of the disputed claims in this case in view of the risks of continued litigation.

24 I declare under the penalty of perjury of the laws of the State of California that the foregoing is
25 true and correct.
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2 Executed on October 21, 2025 at Manhattan Beach, California.
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LOUIS BENOWITZ
Declarant